

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARVIN TATE BROADUS,

Plaintiff,

v.

DEPARTMENT OF ADULT AND
JUVENILE DETENTION, et al.,

Defendant.

CASE NO. 2:21-cv-01720-RSM-BAT

**ORDER GRANTING MOTION TO
FILE AMENDED COMPLAINT
(DKT. 23) AND RENOTING
DEFENDANTS' MOTION TO
DISMISS (DKT. 11)**

On March 24, 2022, Defendants moved to dismiss Plaintiff's civil rights complaint. Dkt. 11. Plaintiff moves for permission to file an amended complaint. Having considered the motions and the record, the Court ORDERS:

1. Plaintiff's motion to file an amended complaint, Dkt. 23, is GRANTED.
2. The amended complaint withdraws as Defendants the Department of Adult and Juvenile Detention (DADJ) and the DADJ Kitchen, and withdraws claims brought under the Religious Land Use and Institutionalized Persons Act (RLUIPA).
3. The amended complaint names three Defendants: John Diaz, DADJ Director; Ed Norman the DADJ Food Services Supervisor; and Gregg Curtis, the DADJ Program Administrator.
4. Defendants oppose permitting Plaintiff to amend the complaint on the grounds

1 that each named Defendant is protected by the doctrine Qualified Immunity. But Plaintiff has not
2 yet responded to the motion to dismiss and the Court thus declines to bar amendment of the
3 complaint.

4 5. In order to allow Defendants to amend the motion to dismiss, in light of the
5 amended complaint, and allow Plaintiff to respond, the Court renotes the motion to dismiss, Dkt.
6 11, to July 15, 2022.

7 6. Any amendment to the current motion to dismiss shall be filed by Defendant by
8 July 1, 2022.

9 7. Any response from Plaintiff must be filed by July 11, 2022.

10 8. The clerk shall provide a copy of this order to the parties.

11 DATED this 16^h day of June, 2022.

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14 BRIAN A. TSUCHIDA
United States Magistrate Judge